

- a. All written discovery commenced in time to be completed by October 31, 2008 with fact discovery anticipated to close on October 31, 2008.
- b. Maximum of interrogatories by each party to any other party is 25, with responses due 30 days after service.
- c. Maximum of requests for admission by each party to any other party is 30, with responses due 30 days after service.
- d. Maximum number of depositions by Plaintiff is 10 and by Defendants is 10 (without leave of Court).
- e. Each deposition is limited to seven hours unless extended by agreement of parties.
- f. Reports from retained experts under Rule 26(a)(2) due from Plaintiff by October 31, 2008 and from Defendants by November 30, 2008, with supplementation by the parties under Rule 26(e) due at least 30 days before trial. Defendants shall take the depositions of Plaintiff's experts by November 30, 2008 and Plaintiff shall take the depositions of Defendants' experts by December 31, 2008.

4. Other Items.

- a. The parties do not request a conference with the Court before entry of the scheduling order.
- b. The parties request a pre-trial conference no later than January 31, 2009 or such earlier time as the Court deems appropriate.
- c. Plaintiff should be allowed until July 15, 2008 to join additional parties and until July 31, 2008 to amend the pleadings.
- d. Defendants should be allowed until July 31, 2008 to join additional parties and until August 15, 2008 to amend the pleadings.
- e. All potentially dispositive motions should be filed by January 31, 2009.
- f. The parties are actively discussing settlement..
- g. Final lists of witness and exhibits under Rule 26(a)(3) should be due from Plaintiff by 45 days before trial, and from Defendant by 30 days before trial. Each party shall have 14 days after receipt of the other party's witness and exhibit lists to lodge objections under Rule 26(a)(3).
- h. The case should be ready for trial in February 2009, and at this time is expected to take approximately one week.

5. **Consent.** The parties do not consent unanimously to proceed before a Magistrate Judge.

Dated: April 16, 2008

s/Davi L. Hirsch

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CERTIFICATE OF SERVICE

The undersigned attorney hereby certifies that a true and correct copy of the foregoing
Report of Parties' Planning Conference was served upon:

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via regular U. S. Mail, postage prepaid, this 16th day of April, 2008.

s/Davi L. Hirsch
Davi L. Hirsch